

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 1 and 10 are amended for clarity. Support for the amendments can be found, for example, in paragraphs [0027], [0029] and [0064] of the originally filed specification. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments:

(a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because e.g. they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Knable in the August 26, 2010 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action rejects claims 1-12 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the enablement requirement. Applicants respectfully traverse the rejection.

The Office Action states that "it however is not understood how measuring 'adjusts' a position." Office Action at page 2. Claim 1 has been amended to recite "measuring... the radial run-out of the carcass band inflated and deformed in the toroidal shape and using the waveform to adjust a position of the carcass band and the bead cores of another green tire to be molded thereafter such that a phase f of a primary harmonic component and an amplitude Y of the waveform are cancelled out in the other green tire." Applicants submit that claim 1, as amended, is clearer, and, as discussed during the telephone interview, claim 1 now more clearly recites a positive step to adjust.

Regarding claim 10, the Office Action alleges that "although there is mention of determining a 'correlation,' it is not clear how or where it is further used in the method, or even specifically how it is to be determined." By this Amendment, claim 10 has been amended to recite "using a result thus measured and the determined correlation to control the amount of relative displacement or angular displacement between the center of axis of the carcass band and the center of axis of the bead core with respect to a subsequent green tire to be molded so as to cancel the primary harmonic component of the radial run-out and reduce the radial run-out of the subsequent green tire." As discussed during the telephone interview, claim 10 more clearly recites how the claimed correlation is used. Further, one of ordinary skill in the art would understand this correlation upon reading the specification, in particular, paragraphs [0064] and [0065] of the originally filed specification.

Claims 2-9, 11 and 12 are patentable by reason of their dependency from independent claim 1, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 1-12 under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. Applicants respectfully traverse the rejection.

The Office Action alleges that claims 1 and 10 are unclear. By this Amendment, claims 1 and 10 have been amended, as noted above in the rejection under 35 U.S.C. §112, first paragraph, to further clarify the claimed invention. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 1, 3-5, 7-9, 11 and 12 under 35 U.S.C. §103(a) over Yamakawa et al. (EP 448 407) in view of Okada et al. (U.S. Patent Application Publication No. 2001/0002608) and at least one of Tanaka et al. (U.S. Patent No. 6,514,441) and Sakamoto et al. (U.S. Patent No. 5,882,452). Applicants respectfully traverse the rejection.

Claim 1 recites "measuring, for one cycle, a waveform, which is a change in a circumferential direction of a radial distance from a central axis of rotation of the molding drum of an inflated carcass band, of the radial run-out of the carcass band inflated and deformed in the toroidal shape and using the waveform to adjust a position of the carcass band and the bead cores of another green tire to be molded thereafter such that a phase f of a primary harmonic component and an amplitude Y of the waveform are cancelled out in the other green tire." In rejecting claim 1, the Office Action admits that Yamakawa and Okada fail to disclose all of the features of claim 1. But, the Office Action alleges that Tanaka and Sakamoto "each teach measuring the run-out of a green tire during tire manufacture It would have been obvious to adopt such further processing to improve uniformity of the final tire and this would therefore render obvious a method consistent with newly claimed language in claim 1."

As discussed during the telephone interview, both Tanaka and Sakamoto discuss measuring radial run-out but neither reference uses such a method as recited in claim 1. Tanaka cancels the amplitude of the RFV waveform by adjusting a setting position of a green tire in a vulcanization mold with respect to a same tire (Tanaka at col. 7, lines 5-11), but does not even suggest that a position of a carcass band or bead cores can be adjusted of a green tire to be molded thereafter. Sakamoto cancels the amplitude of the RFV waveform by controlling "contraction and expansion in a radial direction of the segment 2 of the tread ring forming drum 3" and arranging "the waveform of the vertical deviation of the segment to be in opposite phase of the waveform of the vertical deviation of the green tire." Sakamoto at col. 5, lines 32-36. Neither reference discloses, or even suggests, adjusting a position of the carcass band and the bead cores of a subsequently manufactured green tire. Thus, claim 1 would not have been obvious in view of the applied references.

Claims 3-5, 7-9, 11 and 12 are patentable by reason of their dependency from independent claim 1, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claim 2 under 35 U.S.C. §103(a) over Yamakawa in view of Okada, at least one of Tanaka and Sakamoto, and at least one of Akiyama (U.S. Patent No. 6,475,319) and Ikeda et al. (U.S. Patent Application Publication No. 2002/0074077). Applicants respectfully traverse the rejection.

The rejection of claim 2 is premised upon the combination of Yamakawa, Okada, Tanaka or Sakamoto disclosing, or having rendered obvious, all of the features of claim 1. As discussed above, these references fail to do so. Further, neither Akiyama nor Ikeda overcome the deficiencies of Yamakawa, Okada, Tanaka and Sakamoto. Thus, claim 2 is patentable by reason of its dependency from independent claim 1, as well as for the additional features it recites. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 1, 2, 9, 11 and 12 under 35 U.S.C. §103(a) over JP 2002-254529 in view of Yamakawa and at least one of Tanaka and Sakamoto. Applicants respectfully traverse the rejection.

Claim 1 recites "measuring, measuring, for one cycle, a waveform, which is a change in a circumferential direction of a radial distance from a central axis of rotation of the molding drum of an inflated carcass band, of the radial run-out of the carcass band inflated and deformed in the toroidal shape and using the waveform to adjust a position of the carcass band and the bead cores of another green tire to be molded thereafter such that a phase f of a primary harmonic component and an amplitude Y of the waveform are cancelled out in the other green tire." In rejecting claim 1, the Office Action admits that JP 2002-254529 and Yamakawa fail to disclose these features but alleges that either Tanaka or Sakamoto overcome their deficiencies. For the reasons discussed above with respect to the other

rejection of claim 1, Tanaka and Sakamoto fail to overcome the deficiencies of JP 2002-254529 and Yamakawa.

Claims 2, 9, 11 and 12 are patentable by reason of their dependency from independent claim 1, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 2-5, 7 and 8 under 35 U.S.C. §103(a) over JP 2002-254529 in view of Yamakawa and at least one of Tanaka and Sakamoto and in view of Okada. Applicants respectfully traverse the rejection.

The rejection of these claims is premised upon the combination of JP 2002-254529, Yamakawa and Tanaka or Sakamoto disclosing all the features of claim 1. As discussed above, these references fail to do so. Further, Okada fails to overcome the deficiencies of these references. Thus, claims 2-5, 7 and 8 are patentable by reason of their dependency from independent claim 1, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claim 6 under 35 U.S.C. §103(a) over Yamakawa in view of Okada and at least one of Tanaka and Sakamoto, or under 35 U.S.C. §103(a) over JP 2002-254529 in view of Yamakawa and at least one of Tanaka and Sakamoto and in view of Okada and Senbokuya et al. (U.S. Patent No. 6,616,783). This rejection is premised upon the two rejections of claim 1 discussed above. As discussed above, the applied references fail to disclose all of the features of independent claim 1. Further, Senbokuya fails to overcome the deficiencies as noted above. Thus, claim 6 is patentable by reason of its dependency from independent claim 1, as well as for the additional features it recites. Applicants respectfully request withdrawal of the rejection.

The Office Action, on page 6, discusses that claim 10 is not patentably distinct from claim 1 of commonly assigned Application No. 10/497,069. The inventions were commonly owned at the time of invention thus precluding a rejection under 35 U.S.C. §103(a).

The Office Action provisionally rejects claim 10 on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of Copending Application No. 10/497,069. Applicants have filed a Terminal Disclaimer concurrently with this Amendment, rendering the provisional rejection moot.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Terminal Disclaimer

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